

BUSINESS RECORDS AFFIDAVIT

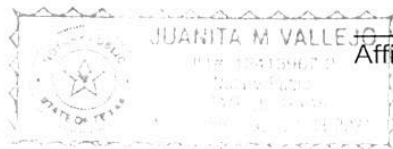
THE STATE OF TEXAS §
COUNTY OF Hidalgo §

BUSINESS RECORDS AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared Elizabeth Walker who, being by me duly sworn, deposed as follows:

1. My name is Elizabeth Walker. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated.
2. I am the custodian of the records of the documents pertaining to: City of Weslaco, Texas
3. Attached hereto, are 12 boxes, 1 CD, 1 USB pages of copies of the records; to wit: _____
4. The said copies of the records are kept by: City of Weslaco
The number of _____ pages are kept by City of Weslaco in the regular course of business.
5. It is the regular practice of said business for an employee or representative with knowledge of the act, event, incident, order, transaction, invoice, condition, photo, video recording, audio recording, opinion or diagnosis to make the record, or to transmit information thereof to be included in such records.
6. The said records were made at or near the time of occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters.
7. The said records attached hereto are the originals and/or exact duplicates of the originals.

THE STATE OF TEXAS §
COUNTY OF Hidalgo §



[Signature]
Affiant's Signature

SUBSCRIBED AND SWORN TO OR AFFIRMED before me on the 19th day of October, 2018
by Affiant Elizabeth Walker

Juanita M. Vallejo
Notary Public
My Commission Expires: 4/03/2021



United States District Court

SOUTHERN DISTRICT OF TEXAS

TO: McALLEN DIVISION

City of Weslaco
City Secretary, Elizabeth Walker
255 S. Kansas Ave.
Weslaco, Texas 78596

SUBPOENA TO TESTIFY BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE UNITED STATES DISTRICT COURT BENTSEN TOWER 1701 W. HIGHWAY 83 McALLEN TX 78501	ROOM GRAND JURY ROOM 2nd Floor <hr/> DATE AND TIME October 23, 2018 @ 9:00 am
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YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*
Please see subpoena attachment. Please complete the attached Business Records Affidavit.

Compliance with this subpoena may occur by mailing the requested records prior to the appearance date indicated on the face of the subpoena to Special Agent, Jason Malkiewicz, Federal Bureau of Investigation, 1200 N. McColl, McAllen, Texas 78501. Electronic production of the requested records is preferred and can be delivered to jmalkiewicz@fbi.gov. If mailing hardcopies or compact discs, please send information through Federal Express (overnight) to SA Jason Malkiewicz, Federal Bureau of Investigation, 1200 North McColl Rd., McAllen, TX 78501. SA Malkiewicz can be reached directly @ (956) 984-6461. Please do not send materials to the United States Attorney's Office. Should you have any additional questions, please contact Special Agent Jason Malkiewicz at (956) 984-6461.

You are not to disclose the existence of this directive. Any such disclosure would impede the investigation being conducted and thereby interfere with the enforcement of the law.

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK DAVID J. BRADLEY, Clerk <hr/> (BY) DEPUTY CLERK 	DATE 10/10/18
This subpoena is issued upon application of the United States of America RYAN K. PATRICK UNITED STATES ATTORNEY	NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY Roberto Lopez, Jr., Assistant United States Attorney 1701 W. Business Highway 83, Suite #600 McAllen, TX 78501 956-618-8010 18-427/16R15273

*If not applicable, enter "none."

To be used in lieu of AO110

FORM OBD-227
JAN 86

Printed on Recycled Paper

18-427/2016R15273
GRAND JURY SUBPOENA ATTACHMENT

To: City of Weslaco
City Secretary, Elizabeth Walker
255 S. Kansas Ave.
Weslaco, Texas 78596

Document Request

Any and all documents pertaining to the construction, study, engineering, design, bidding, contracts, or invoicing and payment of any drainage systems, Waste Water Treatment Plants, and Water Treatment Plants approved for construction, design, or study by the City of Weslaco from 2000 to present.

Any and all e-mails received by the City of Weslaco, its agents or employees, from e-mails registered to the domain name CDMSmith.com (or @CDMSmith.com); Brionesengineering.com (or @Brionesengineering.com); Brionesservices.com (or @Brionesservices.com).

Any and all e-mails sent by the City of Weslaco, its agents or employees, to e-mails registered to the domain name CDMSmith.com (or @CDMSmith.com); Brionesengineering.com (or @Brionesengineering.com); Brionesservices.com (or @Brionesservices.com).

General Definitions

“Documents” shall include, but is not limited to, any Requests for Qualifications (RFQs) issued, any responses to any RFQs; Statements of Qualifications; Preliminary Engineering Reports; Drainage Study; Blueprints; Engineering Designs; Plan Specifications; Construction Manager at Risk Contracts; Prime Contracts, Subcontracts; Contracts; Contract Amendments; Invoices; Applications for Payment; Payments; Requests for Information; Pay Progress Reports; Progress Reports; Bid Packages; Bid Package Recommendations; E-mails; and Correspondence.

INSTRUCTIONS FOR PRODUCTION OF RECORDS

I. General

- A. Records existing as **Electronically Stored Information (ESI)** shall be produced in electronic form and shall include text data and image data held:
 - 1. In your record retention systems; and/or
 - 2. By your technology, data, or other service provider(s).
- B. Records that do not exist as ESI may be produced in paper or other original format and may be converted to image or text data and provided as ESI, unless originals are required.

II. Image Data

- A. Image data shall be produced in graphic data files in a commonly readable, non-proprietary format with the highest image quality

maintained.

III. Encryption/Authentication

- A. ESI may be transmitted in an encrypted container. Decryption keys and/or passwords shall be produced separately at the time the data are produced.
- B. Affidavits or certificates of authenticity may be included as part of the electronic production.

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Electronic production of the requested records is preferred and can be delivered to jmalkiewicz@fbi.gov. If mailing hardcopies or compact discs, please send information through Federal Express (overnight) to SA Jason Malkiewicz, Federal Bureau of Investigation, 1200 North McColl Rd., Mcallen, TX 78501. SA Malkiewicz can be reached directly @ (956) 984-6461. Please do not send materials to the United States Attorney's Office.

Should you have any additional questions, please contact Special Agent Jason Malkiewicz at (956) 984-6461.